

## Assembly Bill No. 1915

### CHAPTER 635

An act to amend Sections 349 and 374 of the Streets and Highways Code, relating to highways.

[Approved by Governor September 30, 2008. Filed with  
Secretary of State September 30, 2008.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1915, Jeffries. State Highway Routes 49 and 74: relinquishment.

Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would authorize the commission to relinquish portions of State Highway Route 49 that are in the City of Auburn, in Placer County, and portions of State Highway Route 74 that are in the City of Lake Elsinore and the City of Perris, in Riverside County, to those cities under certain conditions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 349 of the Streets and Highways Code is amended to read:

349. (a) Route 49 is from:

- (1) Route 41 near Oakhurst to Route 140 at Mariposa.
- (2) Route 140 at Mariposa to Route 120 near Moccasin.
- (3) Route 120 near Chinese Camp to Route 80 near Auburn via the vicinity of Sonora; via Angels Camp, San Andreas, and Jackson; and via the vicinity of El Dorado, Diamond Springs, and Placerville.
- (4) Route 80 near Auburn to Route 20 in Grass Valley.
- (5) Route 20 at Nevada City to Route 89 near Sattley via Downieville.
- (6) Route 89 near Sierraville to Route 70 near Vinton via Loyalton.

(b) (1) The commission may relinquish to the City of Auburn the portion of Route 49 that is located within the city limits of that city, upon terms and conditions the commission finds to be in the best interests of the state, if the department and the city enter into an agreement providing for that relinquishment.

(2) A relinquishment under this subdivision shall become effective immediately following the county recorder's recordation of the

relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

(3) On and after the effective date of the relinquishment, the relinquished portion of Route 49 shall cease to be a state highway.

(4) The portion of Route 49 relinquished under this subdivision shall be ineligible for future adoption under Section 81.

(5) For the portion of Route 49 that is relinquished under this subdivision, the City of Auburn shall maintain within its jurisdiction, signs directing motorists to the continuation of Route 49. The city may apply to the department for approval of a business route designation in accordance with Chapter 20, Topic 21, of the Highway Design Manual.

SEC. 2. Section 374 of the Streets and Highways Code is amended to read:

374. (a) Route 74 is from:

(1) Route 5 near San Juan Capistrano to Route 15 near Lake Elsinore.

(2) Route 15 near Lake Elsinore to Route 215 near Perris.

(3) Route 215 near Perris to Route 10 near Thousand Palms via Hemet and Palm Desert.

(b) (1) The commission may relinquish to the City of Palm Desert the portion of Route 74 that is located within the city limits of that city, upon terms and conditions the commission finds to be in the best interests of the state, if the department and the city enter into an agreement providing for that relinquishment.

(2) A relinquishment under this subdivision shall become effective immediately following the county recorder's recordation of the relinquishment resolution containing the commission's approval of the terms and conditions of the relinquishment.

(3) On and after the effective date of the relinquishment, the relinquished portion of Route 74 shall cease to be a state highway.

(4) The portion of Route 74 relinquished under this subdivision shall be ineligible for future adoption under Section 81.

(5) For the portion of Route 74 that is relinquished under this subdivision, the City of Palm Desert shall maintain within its jurisdiction signs directing motorists to the continuation of Route 74.

(c) (1) The commission may relinquish to the City of Lake Elsinore the portion of Route 74 located within the city limits of that city, upon terms and conditions the commission finds to be in the best interests of the state.

(2) Any relinquishment agreement shall require that the City of Lake Elsinore administer the operation and maintenance of the highway in a manner consistent with professional traffic engineering standards.

(3) Any relinquishment agreement shall require the City of Lake Elsinore to ensure that appropriate traffic studies or analyses will be performed to substantiate any decisions affecting the highway.

(4) Any relinquishment agreement shall also require the City of Lake Elsinore to provide for public notice and the consideration of public input on the proximate effects of any proposed decision on traffic flow, residences, or businesses, other than a decision on routine maintenance.

(5) Notwithstanding any of its other terms, any relinquishment agreement shall require the City of Lake Elsinore to indemnify and hold the department harmless from any liability for any claims made or damages suffered by any person, including a public entity, as a result of any decision made or action taken by the City of Lake Elsinore, its officers, employees, contractors, or agents, with respect to the design, maintenance, construction, or operation of that portion of Route 74 that is to be relinquished to the city.

(6) A relinquishment under this subdivision shall become effective immediately after the county recorder records the relinquishment resolution that contains the commission's approval of the terms and conditions of the relinquishment.

(7) On and after the effective date of the relinquishment, both of the following shall occur:

(A) The portion of Route 74 relinquished shall cease to be a state highway.

(B) The portion of Route 74 relinquished may not be considered for future adoption under Section 81.

(8) The City of Lake Elsinore shall ensure the continuity of traffic flow on the relinquished portion of Route 74, including any traffic signal progression.

(9) For relinquished portions of Route 74, the City of Lake Elsinore shall maintain signs directing motorists to the continuation of Route 74.

(d) (1) The commission may relinquish to the City of Perris the portion of Route 74 located within the city limits of that city between Seventh Street and Redlands Avenue, upon terms and conditions the commission finds to be in the best interests of the state.

(2) Any relinquishment agreement shall require that the City of Perris administer the operation and maintenance of the highway in a manner consistent with professional traffic engineering standards.

(3) Any relinquishment agreement shall require the City of Perris to ensure that appropriate traffic studies or analyses will be performed to substantiate any decisions affecting the highway.

(4) Any relinquishment agreement shall also require the City of Perris to provide for public notice and the consideration of public input on the proximate effects of any proposed decision on traffic flow, residences, or businesses, other than a decision on routine maintenance.

(5) Notwithstanding any of its other terms, any relinquishment agreement shall require the City of Perris to indemnify and hold the department harmless from any liability for any claims made or damages suffered by any person, including a public entity, as a result of any decision made or action taken by the City of Perris, its officers, employees, contractors, or agents, with respect to the design, maintenance, construction, or operation of that portion of Route 74 that is to be relinquished to the city.

(6) A relinquishment under this subdivision shall become effective immediately after the county recorder records the relinquishment resolution that contains the commission's approval of the terms and conditions of the relinquishment.

(7) On and after the effective date of the relinquishment, both of the following shall occur:

(A) The portion of Route 74 relinquished shall cease to be a state highway.

(B) The portion of Route 74 relinquished may not be considered for future adoption under Section 81.

(8) The City of Perris shall ensure the continuity of traffic flow on the relinquished portion of Route 74, including any traffic signal progression.

(9) For relinquished portions of Route 74, the City of Perris shall maintain signs directing motorists to the continuation of Route 74.